## STATE OF ILLINOIS

### ILLINOIS COMMERCE COMMISSION

GALLATIN RIVER COMMUNICATIONS	) .	
L.L.C. D/B/A CENTURYLINK	)	
and	) No. 12	
NTS Services Corp.	)	
	)	
Joint Petition for Approval of Negotiated	)	
Collocation Agreement	)	

VERIFIED JOINT PETITION FOR APPROVAL OF COLLOCATION AGREEMENT BETWEEN GALLATIN RIVER COMMUNICATIONS L.L.C D/B/A CENTURYLINK AND NTS SERVICES CORP.

Gallatin River Communications L.L.C. d/b/a CenturyLink ("CenturyLink") and NTS Services Corp. ("NTS") through counsel, hereby request that the Commission review and approve the attached Collocation Agreement dated February 14, 2011 (the "Agreement") pursuant to Sections 252(a)(1) and 252(e) of the Telecommunications Act of 1996 47 U.S.C. §§ 252(a)(1), 252(e), (the "Act"). In support of their request, the parties state as follows:

- 1. Petitioners CenturyLink and NTS are each a telecommunications carrier within the meaning of Section 13-202 of the Universal Telephone Service Protection Act of 1985, 220 ILCS 5/13-100, et seq., and each is authorized to provide telecommunications service to customers in Illinois.
- 2. The Agreement was arrived at through good faith negotiations between the parties as contemplated by Section 252(a) of the Act and provides for the interconnection of their networks for the transmission and termination of local traffic on each other's networks.
- 3. Pursuant to Section 252(e)(2) the Commission may only reject a negotiated agreement if it finds that (1) the agreement discriminated against another carrier, or (2)

implementation of the Agreement would not be consistent with the public interest, convenience and necessity. Neither basis for rejection is present here.

4. In addition, the Verified Statement of John Fordham demonstrates that implementation of the Agreement is consistent with the public interest because it will promote competition and enhance the ability of NTS to provide Illinois telecommunications users with a competitive alternative for telecommunications services.

5. In accordance with Section 252(e)(4) of the Act, the Agreement will be deemed approved if the Commission does not act to approve or reject the Agreement within 90 days from the date of this submission.

6. Copies of the Agreement are available for public inspection in CenturyLink's public offices.

7. Petitioners agree to accept electronic service of documents associated with this proceeding.

WHEREFORE, CenturyLink and NTS respectfully request that the Commission approve the attached Collocation Agreement between CenturyLink and NTS under Section 252(e) of the Act as expeditiously as possible.

Gallatin River Communications L.L.C. dba CenturyLink

Thomas M. Dethlel

Thomas M. Dethlefs

Attorney for Gallatin River Communications

L. L.C. d/b/a CenturyLink

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NTS Services Corp.

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Attorney for NTS Services Corp.

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Washington, D.C. 20006

(202) 681-1850

kris@lokt.net

STATE OF COLORADO	)
	) ss
COUNTY OF DENVER	)

Thomas M. Dethlefs, being first duly sworn, deposes and states that he is an attorney for Gallatin River Communications L.L.C. d/b/a CenturyLink and that he is authorized by Gallatin River Communications L.L.C. d/b/a CenturyLink to make this verification; that he has read the above and foregoing Joint Petition for Approval of a Negotiated Collocation Agreement between Gallatin River Communications L.L.C. d/b/a CenturyLink and NTS Services Corp. and knows the contents thereof; and that said contents are true to the best of his knowledge, information, and believe.

Thomas M. Dethlefs, Esq.

Subscribed and sworn to before me, a notary public for the state of Colorado, this 3rd day of May, 2012.



Marginel Solts

My Commission Expires: 9-35-2013

STATE OF Illinois
COUNTY OF <u>Tazewell</u> )
Sue Scott , being first duly sworn, deposes and states that she is General
Manager for NTS Telephone Company for NTS Services Corp. and that she is
authorized by NTS Services Corp. to make this verification; that she has read the above and
foregoing Joint Petition for Approval of a Negotiated Collocation Agreement between Gallatin
River Communications L.L.C. d/b/a CenturyLink and NTS Services Corp. and knows the
contents thereof; and that said contents are true to the best of her knowledge, information, and
believe.
Sue Scatt
Subscribed and sworn to before me, a notary public for the state of Illinois, this $\partial \phi$ day of

Notary Public

My Commission Expires: 3/16/14

MARCH, 2012

OFFICIAL SEAL LEANNE M MASSEY NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:02/16/14

## STATE OF ILLINOIS

## ILLINOIS COMMERCE COMMISSION

GALLATIN RIVER COMMUNICATIONS,	)		
L.L.C. D/B/A CENTURYLINK	4)		
and	) No	. 12	
NTS Services Corp.	)		
Joint Petition for Approval of Negotiated	)		
Collocation Agreement	)		

# STATEMENT IN SUPPORT OF JOINT PETITION FOR APPROVAL

I, John Fordham, in my capacity as Manager, Area Operations, for Gallatin River

Communications L.L.C. d/b/a CenturyLink ("CenturyLink") hereby submit this Statement in

Support of the Joint Petition for Approval of a Negotiated Collocation Agreement between

CenturyLink and NTS Services Corp. ("NTS").

The attached Collocation Agreement (the "Agreement") between CenturyLink and NTS was reached through voluntary negotiations between the parties. Accordingly, CenturyLink and NTS request approval pursuant to Sections 252(a)(1) and 252(e) of the Telecommunications Act of 1996 (the "Act.").

In accordance with Sections 251 and 252 of the Act, the parties engaged in good faith negotiations and an agreement was reached. The Agreement becomes effective the next business day following the day the Illinois Commerce Commission approves the Agreement.

The Agreement contains provisions for default and prohibits discontinuance of service without the required notice.

CenturyLink will make the Agreement available (pursuant to 252(I) of the Act) to any other telecommunications carrier operating within its territory. Other carriers are also free to negotiate their own terms and conditions pursuant to the applicable provisions of the Act. For this reason, the Agreement is not discriminatory.

Implementation of this Agreement is consistent with the public interest because it will promote competition and enhances the ability of NTS to provide Illinois telecommunications users with a competitive alternative for telecommunications services.

John Fordham

John Fordham

STATE OF ILLINOIS	)
	) ss
COUNTY OF KNOX	)

John Fordham, being first duly sworn, deposes and states that he is Manager, Area Operations, for Gallatin River Communications L.L.C. d/b/a CenturyLink and that he is authorized by Gallatin River Communications L.L.C. d/b/a CenturyLink to make this verification; that he has read the above and foregoing Joint Petition for Approval of a Negotiated Collocation Agreement between Gallatin River Communications L.L.C. d/b/a CenturyLink and NTS Services Corp., and knows the contents thereof; and that said contents are true to the best of his knowledge, information, and belief.

John Fordham

Subscribed and sworn to before me, a notary public for the state of Illinois, this 544 day of May, 2012.

Notary Public

My Commission Expires: 2-6-/6

"OFFICIAL SEAL"
Rhonda R. Dalton
Notary Public, State of Illinois
My Commission Expires 02/06/16